FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
NAGPUR BENCH, NAGPUR

Misc. Civil Application No.467/2007
(Kautik Pandit Patil VERSUS United India Insurance Co. Ltd.& anr.)

Appeal	District :
Application No.	of 200
Writ petition	

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders

Mr. A.S. Chandurkar, Adv. for the appellant.

CORAM : Smt. Vasanti A. Naik, J.
DATED : 17th August, 2007.

Heard Shri Chandurkar for the appellant. None appears on behalf of the respondents, though served.

The reasons stated in the civil application for non-appearance of the counsel before this Court on 14/12/2005 would not be sufficient to allow this application and restore the M.C.A. No. 581/2005, as the counsel for the applicant could have made some alternate arrangement and could have seen that the matter was adjourned on his behalf, if the counsel for the applicant was not in a position to attend the Court for the reasons stated in the civil application. However, since the client should not suffer for the mistake of his counsel, it is necessary to grant the prayer made in the civil application.

The prayer made in the civil application is granted and M.C.A. No. 581/2004 is hereby restored to file. M.C.A. No. 467/2007 is allowed and disposed

of.

Misc. Civil Application No. 581/2004

Second Appeal No. 266/1988 was dismissed in view of the conditional order passed by this Court by which the appellant was required to file a synopsis within a period of one week from 5/8/2004. It is stated in the application that the Clerk of the Advocate did not notice the matter on the board on 5/8/2004 and hence the matter was not attended on behalf of the applicant.

For the reasons stated in the application, Second Appeal No. 266/1988 is restored to file. M.C.A. No. 581/2004 is allowed and disposed of. However, the appellant should positively file the synopsis within a period of one week from today.

JUDGE

RMP